

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BESSEMER SYSTEM FEDERAL CREDIT	)	
UNION, on behalf of itself and members,	)	
	)	2:19-cv-00624-RJC
Plaintiff,	)	
	)	
vs.	)	
	)	
FISERV SOLUTIONS, LLC, formerly	)	
known as FISERV SOLUTIONS, INC., and	)	
FISERV, INC.,	)	
	)	
	)	
Defendant.	)	
	)	

**CASE MANAGEMENT ORDER**

IT IS HEREBY ORDERED that this action is placed under Local Rule 16.1 for pretrial proceedings and all provisions of the Rule will be strictly enforced. Pursuant to Local Rule 16.1, the parties are directed as follows:

1. The parties shall move to amend the pleadings or add new parties by **September 14, 2020**.
2. The parties shall complete fact discovery by **April 28, 2021**. All interrogatories, depositions and requests for admissions and/or production of documents shall be served within sufficient time to allow responses to be completed prior to the close of fact discovery.
3. Plaintiff's Expert Reports are due on or before **May 31, 2021**.  
Defendant's Expert Reports are due on or before **July 15, 2021**.  
Depositions of all experts shall be on or before **August 30, 2021**.

4. Bessemer's Motion for Leave to Extend Default Mediation Deadline is denied. The parties shall engage in mediation by **October 30, 2020**. Discovery is stayed pending the completion of this mediation. The parties shall, however, meet and confer in advance of mediation in an attempt to determine what, if any, pre-mediation document discovery is warranted and/or feasible. Given that discovery has been stayed, the Court will not entertain pre-mediation discovery disputes. However, the Court invites counsel to cooperate and collaborate with respect to pre-mediation discovery to the greatest extent possible. Moreover, to the extent that the case is not resolved at mediation, the Court notes that it will be inclined to appoint an E-Discovery Special Master ("EDSM") or E-Mediator should an ESI discovery issue arise.
5. As the parties have yet to select a neutral or schedule mediation in this matter, the parties shall file an updated ADR Stipulation by September 3, 2020. This Court shall enter an order referring this case to mediation at that time.
6. If a discovery dispute occurs, prior to filing any discovery motions, the parties shall first meet and confer in an attempt to resolve the dispute. If the matter is still unresolved after meeting and conferring, then the parties shall jointly contact Chambers for purposes of scheduling a telephone conference with the Court.
7. The parties have elected to have the Court separately enter the Model Order located in the Appendix to LCvR 16.1.D relating to the protections of Federal Rule of Evidence 502(d).
8. The Court will conduct a post-discovery status conference on **May 10, 2021** at **11:00 a.m.** in the Chambers of United States District Judge Robert J. Colville, Suite 6220 U.S. Post Office and Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. Lead trial counsel shall attend, and the court will inform counsel if attendance by the parties is necessary. Counsel must fax to 412-208-7309, or e-mail to [Karen\\_Verminski@pawd.uscourts.gov](mailto:Karen_Verminski@pawd.uscourts.gov) updated confidential position letters on or before **May 5, 2021**.

IT IS FURTHER ORDERED that counsel shall confer with their clients prior to all case management, status or pretrial conferences to obtain authority to participate in settlement negotiations to be conducted by the Court. Counsel are encouraged to instruct the principals to be available by telephone to facilitate the amicable resolution of all litigation.

BY THE COURT:

s/ Robert J. Colville

Robert J. Colville  
United States District Judge

Dated: August 20, 2020  
cc: all counsel of record